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PATENT
Attorney Docket 036870-5073-02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Holroyd et al.**

Application No. **10/772,437**

Filed: **February 6, 2004**

Examiner: **Prema Maria Mertz**

Group Art Unit: **1646**

For: **Methods for treating ICACC protein associated diseases (Amended)**


U.S. Patent and Trademark Office
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TRANSMITTAL FORM

1. Transmitted herewith is a Statement of the Substance of Interview.
2. Fee Payment: Applicants do not believe a fee is due with the filing of this paper. However, if Applicants have inadvertently overlooked a required fee, the Commissioner is hereby authorized to charge such fee to Deposit Account No. 50-0310.
3. Except for issue fees payable under 37 C.F.R. 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. 1.16 and 1.17 which may be required, or credit any overpayment to Deposit Account 50-0310.

Dated: **October 25, 2006**
Morgan, Lewis & Bockius LLP
Customer No. **09629**
1111 Pennsylvania, N.W.
Washington, D.C. 20004
202-739-3000

Respectfully submitted,
Morgan, Lewis & Bockius LLP



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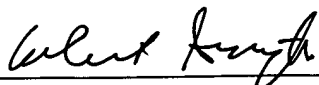
STATEMENT OF SUBSTANCE OF INTERVIEW

In response to the Examiner Interview Summary dated September 26, 2006, the following statement is submitted in accordance with the requirements stated on the Interview Summary (Form PTOL-413).

While Applicants believe that the claims are allowable and patentably distinguishable over the prior art, Applicants do not acquiesce in the statement by the Examiner that the elected claims (37 to 44, 46 to 47, 55 to 61) as filed in the Amendment dated August 2, 2006 are only enabled for a method of treating asthma or allergy with an antibody to a protein set forth in SEQ ID NO: 6. Applicants further submit that these same claims are adequately supported by the specification and therefore do not acquiesce in the Examiner's statement pertaining to written description. Applicants further submit that patentability is based on the claimed invention as a whole, and not solely on one or more particular features recited in the allowed claims.

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